

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WAYNE MOLDA,

Plaintiff,

Case No. 2:16-cv-11985

Magistrate Judge Anthony P. Patti

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

**OPINION AND ORDER DENYING PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT (DE 17), GRANTING DEFENDANT'S MOTION
FOR SUMMARY JUDGMENT (DE 26) AND AFFIRMING THE DECISION
OF THE COMMISSIONER OF SOCIAL SECURITY**

Plaintiff, Wayne Molda, brings this action under 42 U.S.C. §§ 405(g) and 1383(c)(3) for review of a final decision of the Commissioner of Social Security (“Commissioner”) denying his application for disability insurance benefits or supplemental security income (“SSI”) benefits. Currently before the Court is Plaintiff’s motion for summary judgment (DE 17), the Commissioner’s cross-motion for summary judgment (DE 26), and the administrative record (DE 10).

The parties have consented to my authority. (DEs 18, 19.) A hearing was held on September 19, 2017. On that date, Plaintiff’s counsel (Mandel I. Allweil) appeared in person and Defendant’s counsel (AUSA John J. Engel) appeared by telephone.

For the reasons stated on the record, all of which are hereby incorporated by this reference as though fully restated herein, the Court concludes that the ALJ unerringly applied the correct legal standards in reaching his decision and that substantial evidence in the record supports his findings. Alternatively, any legal or procedural error (in the ALJ's analysis of the Listings) was harmless.

Accordingly, Plaintiff's motion is **DENIED** (DE 17), Defendant's motion is **GRANTED** (DE 26), and the decision of the Commissioner of Social Security is **AFFIRMED**.

IT IS SO ORDERED.

Dated: September 20, 2017

s/Anthony P. Patti
Anthony P. Patti
UNITED STATES MAGISTRATE JUDGE

Certificate of Service

I hereby certify that a copy of the foregoing document was sent to parties of record on September 20, 2017, electronically and/or by U.S. Mail.

s/Michael Williams
Case Manager for the
Honorable Anthony P. Patti